

# LOANCARE

A SERVICELINK COMPANY

POST OFFICE BOX 8068  
VIRGINIA BEACH, VA 23450

February 21, 2019

+ 0965013 000000358 09LCZ2 0075325 244 LM248

JANET HOWARD  
1795 CONEY ISLAND AVE STE 3  
BROOKLYN NY 11230-6514



Re: **NON-APPROVAL**

Loan Number: XXXXXX6297

Property address: 334 Herzl Street  
Brooklyn NY 11212

Dear Borrower(s):

Thank you for contacting us about your mortgage. Our review of your financial and other information indicates that although you may have a hardship, you do not qualify for a loan modification. Your mortgage payment was due on February 01, 2009. In addition, your account has accrued late charges of \$7,428.08. It is important that you make your full monthly mortgage payment and late charges of \$522,699.05 immediately.

We recognize that this may be disappointing news for you. However, in order to avoid the negative impacts to your credit rating resulting from late payments and to avoid foreclosure, it is important that you make the full payment listed above as quickly as possible and continue to make your mortgage payment by the scheduled due date.

Please send your payment in the full amount due to:

LoanCare, LLC  
P.O. Box 8068  
Virginia Beach, VA 23450

If you have questions about your mortgage payment or concerns about the evaluation of your mortgage for foreclosure alternatives, then please contact LoanCare, LLC's Loss Mitigation Department-Appeals at 1.800.909.9525.

You were evaluated for mortgage payment assistance based on the eligibility requirements of CIT BANK, N.A.

**Customer Service: 1.800.274.6600 Collections: 1.800.909.9525**  
Monday – Friday: 8 a.m. – 10 p.m. EST Saturday 8 a.m. – 3 p.m. EST

3637 Sentara Way | Virginia Beach, VA 23452 | [www.MyLoanCare.com](http://www.MyLoanCare.com)

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Although you may have a hardship, based on a review of your financial circumstances, you are not eligible for the following foreclosure alternatives:

## **Repayment Plan**

Deficit of surplus income to support payments.

## **Unemployment forbearance**

Proof of unemployment required.

## **CIT Proprietary Mod**

You have insufficient income to afford a modified mortgage payment and pay required taxes, insurance and other related property expenses.

## **CIT Capitalization Mod**

Forbearance exceeds delinquency maximum of 12 months.

## **Right to Appeal**

You have the right to appeal our determination not to offer you the loan modification listed above. If you would like to appeal, you must contact us in writing at LoanCare, LLC, Loss Mitigation Department – Appeals, P.O. Box 8068, Virginia Beach, Virginia 23450, no later than March 14, 2019 and state that you are requesting an appeal of our decision. You must include in the appeal your name, property address, and mortgage loan number. You may also specify the reasons for your appeal and provide any supporting documentation. Your right to appeal expires March 14, 2019. Any appeal requests or documentation received after March 14, 2019 may not be considered.

If you elect to appeal, we will provide you a written notice of our appeal decision within 30 calendar days of receiving your appeal. Our appeal decision is final and not subject to further appeal.

If you elect to appeal, you do not have to make the full mortgage payment amount until resolution of the appeal. If we determine on appeal that you are eligible for a loan modification, we will send you an offer. In that case, you may choose to make the full mortgage payment amount (including any delinquent amounts and late charges that have accrued during the appeal process) or accept the offer by contacting us at 1.800.909.9525 or in writing at LoanCare, LLC, Loss Mitigation Department – Appeals, P.O. Box 8068, Virginia Beach, Virginia 23450 no later than 14 calendar days from the date of the appeal decision.

If you wait to make the payment amount described above until after receiving our appeal decision, your loan will become more delinquent. Any unpaid interest, and other unpaid amounts, such as escrows for taxes and insurance, will continue to accrue on your mortgage loan during the appeal and will be added to the total amount due to bring your loan current.

Please also be advised that we will continue to report the delinquency status of your loan to credit reporting agencies as well as your entry into loan modification or other plan in accordance

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with the requirements of the Fair Credit Reporting Act and the Consumer Data Industry Association requirements.

Sincerely,

Loss Mitigation Department  
LoanCare, LLC  
NMLS ID #2916

**\*PLEASE SEE IMPORTANT STATE DISCLOSURES INCLUDED WITH THIS LETTER\***

Notices of error and information requests must be sent to:

LoanCare, LLC  
Attention - Mortgage Resolution  
P.O. Box 8068  
Virginia Beach, VA 23450

TO THE EXTENT THE FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) IS APPLICABLE, PLEASE BE ADVISED THAT THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

IF YOU ARE CURRENTLY INVOLVED IN A BANKRUPTCY PROCEEDING OR HAVE PREVIOUSLY RECEIVED A DISCHARGE IN A BANKRUPTCY PROCEEDING, PLEASE NOTIFY US IMMEDIATELY AND BE ADVISED THAT THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. THIS NOTICE IS NOT INTENDED TO COLLECT, RECOVER, OR OFFSET THE DEBT AGAINST YOU PERSONALLY AND SHOULD NOT BE CONSIDERED A DEMAND FOR PAYMENT OR INDICATE THAT YOU ARE PERSONALLY LIABLE FOR THIS DEBT. PLEASE CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS ABOUT YOUR RIGHTS UNDER BANKRUPTCY LAW.

THE SERVICEMEMBERS CIVIL RELIEF ACT (SCRA) MAY OFFER PROTECTION OR RELIEF TO SERVICEMEMBERS. IF EITHER YOU HAVE BEEN CALLED TO ACTIVE DUTY OR ACTIVE SERVICE, OR YOU ARE A SPOUSE OR DEPENDENT OF SUCH A SERVICEMEMBER, YOU MAY BE ENTITLED TO CERTAIN LEGAL PROTECTIONS AND DEBT RELIEF PURSUANT TO THE SCRA. IF YOU HAVE NOT MADE US AWARE OF YOUR STATUS, PLEASE CONTACT US IMMEDIATELY. YOU MAY ALSO CONTACT YOUR

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**UNIT'S JUDGE ADVOCATE OR YOUR INSTALLATION'S LEGAL ASSISTANCE OFFICER, AVAILABLE AT [HTTP://LEGALASSISTANCE.LAW.AF.MIL/CONTENT/LOCATOR.PHP](http://LEGALASSISTANCE.LAW.AF.MIL/CONTENT/LOCATOR.PHP), OR CALL 1-800-342-9647 (TOLL FREE FROM THE UNITED STATES) OR [WWW.MILITARYONESOURCE.MIL/LEGAL](http://WWW.MILITARYONESOURCE.MIL/LEGAL) TO FIND OUT MORE INFORMATION.**

The consumer reporting agency contacted that provided information that influenced the decision in whole or in part was TRANSUNION, P.O. Box 1000, Chester, PA 19022. The toll-free telephone number for TRANSUNION is (800) 888-4213. The reporting agency played no part in the decision and is unable to supply specific reasons why your request for a modification was denied. You have a right under the Fair Credit Reporting Act to know the information contained in your credit file at the consumer reporting agency. You also have a right to a free copy of your report from the reporting agency, if you request it no later than 60 days after you receive this notice. In addition, if you find that any information contained in the report you receive is inaccurate or incomplete, you have the right to dispute the matter with the reporting agency. Any questions regarding such information should be directed to TRANSUNION.

We also obtained your credit score from the consumer reporting agency and used it in making our credit decision. Your credit score is a number that reflects the information in your consumer report. Your credit score can change, depending on how the information in your consumer report changes. Your credit score is 605, which was created on 01/23/2019. The scores range from a low of 300 to a high of 850. Key factors that adversely affected your credit score are:

- unable to cure delinquency within 6 mos
- one or more borrs are receiving continuous income
- unable to reach target front end ratio. post mod pymt not affordable
- exceeds maximum delinquency

If you have any questions regarding your credit score, you should contact TRANSUNION at the address or toll-free telephone number above.

THE FEDERAL EQUAL CREDIT OPPORTUNITY ACT PROHIBITS CREDITORS FROM DISCRIMINATING AGAINST CREDIT APPLICATIONS ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, MARITAL STATUS, AGE (PROVIDED THE APPLICANT HAS THE CAPACITY TO ENTER INTO A BINDING CONTRACT); BECAUSE ALL OR PART OF THE APPLICANT'S INCOME DERIVES FROM ANY PUBLIC ASSISTANCE PROGRAM; OR BECAUSE THE APPLICANT HAS IN GOOD FAITH EXERCISED ANY RIGHT UNDER THE CONSUMER CREDIT PROTECTION ACT. THE FEDERAL AGENCY THAT ADMINISTERS COMPLIANCE WITH THIS LAW CONCERNING THIS CREDITOR IS THE FEDERAL TRADE COMMISSION, EQUAL CREDIT OPPORTUNITY, WASHINGTON, DC 20580.

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**IMPORTANT NOTICE TO CONFIRMED SUCCESSORS IN INTEREST**

**NOTICE TO CONFIRMED SUCCESSORS IN INTEREST:** Please be advised that, unless you assume the loan under state law, you will not be liable for the mortgage debt and cannot be required to use your assets, as a confirmed successor in interest, to pay the mortgage debt, except that the lender has a security interest in the property and a right to foreclose on the property when permitted by law and authorized under the mortgage loan contract.

**IMPORTANT STATE DISCLOSURES**

**SEE IMPORTANT DISCLOSURES BELOW**

**Important notice for Arkansas Residents:** Within the state of Arkansas, LoanCare is licensed by the Arkansas Securities Department. You may file complaints with the Department at Heritage West Building, Suite 300, 201 East Markham Street, Little Rock, Arkansas 72201-1692.

**Important notice for Colorado Residents:** Within the state of Colorado, LoanCare maintains an office at 80 Garden Center, Building B, Suite 3, Broomfield, CO 80020. The telephone number is 303-920-4763.

**Important notice for Hawaii Residents:** Within the state of Hawaii, LoanCare is licensed by the Commissioner of Financial Institutions. You may file complaints with the Commissioner at P.O. Box 2054, Honolulu, HI 96805.

**Important notice for Hawaii Residents who submitted a loss mitigation request:** If you believe your loss mitigation option request has been wrongly denied, you may file a complaint with the state division of financial institutions at (808) 586-2820 or <http://cca.hawaii.gov/dfi/file-a-complaint>.

**Important notice for Illinois Residents:** Within the state of Illinois, LoanCare is regulated by the Illinois Department of Financial and Professional Regulation – Division of Banking, 100 West Randolph, 9th Floor, Chicago, IL 60601. The toll-free consumer hotline number is 1-888-473-4858.

**Important notice for Maryland Residents:** Maryland law requires LoanCare to designate a contact to whom mortgagors may direct complaints and inquiries. LoanCare has designated the Office of the Customer for that purpose. The telephone number for the Office of the Customer is 1-800-919-5631. The Office of the Customer must respond in writing to each written complaint or inquiry within 15 days if requested. LoanCare's failure to comply with any provision of Section 13-316 of the Maryland Commercial Law will result in LoanCare being liable for any economic damages caused by the violation.

**Important notice for New York Residents:** Within the state of New York, LoanCare is registered with the Superintendent of the New York Department of Financial Services. You may file complaints with the Department of Financial Services and may obtain further information from the Department of Financial Services by calling the Department's Consumer Assistance Unit at 1-800-342-3736 or by visiting the Department's website at [www.dfs.ny.gov](http://www.dfs.ny.gov).

**Important notice for New York Residents who submitted a loss mitigation request:** If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or [www.dfs.ny.gov](http://www.dfs.ny.gov).

**Important notice for New York Residents who were offered a debt payment schedule or agreement to settle debt:** If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt:

1. Supplemental security income, (SSI);
2. Social security;
3. Public assistance (welfare);
4. Spousal support, maintenance (alimony) or child support;
5. Unemployment benefits;
6. Disability benefits;
7. Workers' compensation benefits;
8. Public or private pensions;
9. Veterans' benefits;
10. Federal student loans, federal student grants, and federal work study funds; and
11. Ninety percent of your wages or salary earned in the last sixty days.

**Important notice for North Carolina Residents:** Within the state of North Carolina, LoanCare is licensed by the Commissioner of Banks. You may file complaints with the Commissioner at 4309 Mail Service Center, Raleigh, NC 27699.

North Carolina Permit Numbers 112029, 112165, 113538

**Important notice for North Carolina Residents who submitted a loss mitigation request:** If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website, [www.nccob.gov](http://www.nccob.gov).

**Important notice for Oregon Residents:** Residential mortgage loan servicers are regulated by the Oregon Division of Financial Regulation. To file a complaint, call (866) 814-9710 or visit <http://dfr.oregon.gov>.

**Important notice for Texas Residents:** COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550.

A complaint form and instructions may be downloaded and printed from the Department's website located at [www.sml.texas.gov](http://www.sml.texas.gov) or obtained from the department upon request by mail at the address above, by telephone at its toll-free consumer hotline listed above, or by email at [smlinfo@sml.texas.gov](mailto:smlinfo@sml.texas.gov).